

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,
Plaintiff,
vs.

HOWARD RED BEAR, JR.,
Defendant.

CASE NO: 4:24MJ3039

DETENTION ORDER

The defendant is charged with a felony involving a minor victim. On the government's motion, the court held a detention hearing under the Bail Reform Act, 18 U.S.C. § 3142(f). The court concludes the defendant must be detained.

Based on the evidence presented and information of record, the court finds by clear and convincing evidence that defendant's release would pose a serious risk of harm to the community and risk of defendant's nonappearance at court proceedings, and no condition or combination of conditions of release will sufficiently ameliorate that risk.

Specifically, the court finds the defendant has a criminal history of violating the law and court orders; has a history of harming or threatening harm to others; was not truthful with pretrial services during his interview and therefore poses a substantial risk of noncompliance with supervision and risk of non-appearance; lacks a stable residence and, further, a residence in which appropriate monitoring can be confirmed at this time.

Conditions which restrict Defendant's travel, personal contacts, and possession of drugs, alcohol, and/or firearms; require reporting, education, employment, or treatment; or monitor Defendant's movements or conduct; or any combination of these conditions or others currently proposed or available (see 18

U.S.C. § 3142(c)), will not sufficiently ameliorate the risks posed if the defendant is released.

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of the United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

Date: 3/19/2024 s/ Jacqueline M. DeLuca

United States Magistrate Judge